

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Statutes 1980, Chapter 1143

Claim Nos. 3759, 3760 and 3916

Directed by Statutes 2004, Chapter 227,
Sections 109-110 (Sen. Bill No. 1102),
Effective August 16, 2004.

Nos. 04-RL-3759-02, 04-RL-3760-03, and
04-RL-3916-04

Regional Housing Needs Determination

ORDER TO SET ASIDE PARAMETERS
AND GUIDELINES

(Adopted on May 26, 2005)

ORDER TO SET ASIDE PARAMETERS AND GUIDELINES

In 1981, the Board of Control determined that the *Regional Housing Needs Determination* program (Stats. 1980, ch. 1143) imposed a reimbursable mandate on cities and counties for activities related to housing elements that they are required to adopt as part of their general plans. The Board of Control adopted parameters and guidelines in 1982 to establish the reimbursable activities for this program.

Statutes 2004, chapter 227 (Sen. Bill No. 1102, effective Aug. 16, 2004) directed the Commission on State Mandates (Commission) to reconsider the Board of Control's 1981 final decision and, if necessary, revise the parameters and guidelines of the *Regional Housing Needs* program.

The Commission reconsidered this program during a regularly scheduled hearing on March 30, 2005. The Commission found that the test claim legislation (Stats. 1980, ch. 1143) does not impose "costs mandated by the state" on cities and counties within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17556, subdivision (d) because the cities and counties have fee authority to cover the cost of the *Regional Housing Needs* program.

In accordance with the Commission's decision and Senate Bill 1102, the Commission hereby sets aside the attached applicable parameters and guidelines, effective July 1, 2004.

PAULA HIGASHI, Executive Director

Date